

PATENT
ATTORNEY DOCKET NO.: DERM1100-3

JC978 U.S. PRO
09/970617
10/03/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rheins and Morhenn Art Unit: Unassigned
Divisional Application filed: October 3, 2001 Examiner: Unassigned
Application No. Unassigned
Parent Application No.: 09/375,609
Parent Filing Date: August 17, 1999

Title: **METHOD FOR DETECTION OF BIOLOGICAL
FACTORS IN EPIDERMIS**

BOX PATENT APPLICATION

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.97, Applicants bring to the Examiner's attention the related parent patent application, U.S. Serial No. 09/352,818, filed July 13, 1999, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

Applicants respectfully request that the references supplied in compliance with 37 C.F.R. § 1.97 in the above-referenced parent application, as well as those cited during its examination, be made of record. For the convenience of the Examiner, enclosed are copies of Form PTO-1449 and Form PTO-892 listing the references cited by the Examiner or cited in an Information Disclosure Statement filed by the Applicants. Copies of the documents will be found in the above-referenced parent application.

| |
|---|
| <p>"EXPRESS MAIL" Mailing Label Number: <u>EL617035875US</u> Date of Deposit: <u>October 3, 2001</u></p> <p>I hereby certify under 37 C.F.R. § 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the BOX PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231</p> |
| <p>MIKHAIL BAYLEY (TYPED OR PRINTED NAME OF PERSON MAILING PAPER)</p> <p><i>Mikhail Bayley</i></p> <p>(SIGNATURE OF PERSON MAILING PAPER OR FEE)</p> |

In Re Application of:

Rhiens and Morhenn

Continuation Application Filed: October 3, 2001

Application No.: Unassigned

Parent Application No.: 09/375,609

Parent Filing Date: August 17, 1999

PATENT

Attorney Docket No.: DERM1100-3

Page 2

It is respectfully requested that the parent application and the references cited therein be considered in the examination of this application and that their consideration be made of written record in the application file.

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1355.

Respectfully submitted,

Date: October 3, 2001

Sheila R. Kirschenbaum

Sheila R. Kirschenbaum, J.D., Ph.D.

Registration No. 44,835

Telephone: (858) 677-1462

Facsimile: (858) 677-1465

USPTO CUSTOMER NUMBER 28213

GRAY CARY WARE & FREIDENRICH LLP

4365 Executive Drive, Suite 1600

San Diego, California 92121-2189

Substitute Form PTO-1449
(Modified)U.S. Department of Commerce
Patent and Trademark OfficeAttorney's Docket No.
DERM1100-2Application No.
Unassigned

Information Disclosure Statement
by Applicant
(Use several sheets if necessary)
(37 CFR §1.98(b))

Applicant
Rheins and MorhennFiling Date
September 28, 2001Group Art Unit
Unassigned10/03/01
109/970617
Pro**U.S. Patent Documents**

| Examiner Initial | Desig. ID | Patent Number | Issue Date | Patentee | Class | Subclass | Filing Date If Appropriate |
|------------------|-----------|---------------|------------|----------|-------|----------|----------------------------|
| | AA | | | | | | |

Foreign Patent Documents or Published Foreign Patent Applications

| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|------------------|-----------|-----------------|------------------|--------------------------|-------|----------|--|
| | AB | | | | | | |

Other Documents (include Author, Title, Date, and Place of Publication)

| Examiner Initial | Desig. ID | Document |
|------------------|-----------|--|
| | AC | Farage, M.A., et al., "DEVELOPMENT OF A NONINVASIVE METHOD FOR ASSESSING HUMAN SKIN IRRITATION," The Toxicologist (1997) Vol. 36, No. 1, Part 2, pp. 365. |
| | AD | Nickoloff, B.J., M.D., Ph.D., et al., "Perturbation of epidermal barrier function correlates with initiation of cytokine cascade in human skin," Journal of the American Academy of Dermatology (1994) Vol. 30, No. 4, pp. 535-546. |
| | AE | Tetsuji, H., et al., "Elevation of Interleukin 1 Receptor Antagonist in the Stratum Corneum of Sun-exposed and Ultraviolet B-irradiated Human Skin," The Journal of Investigative Dermatology (1996) Vol. 106, No. 5, pp. 1102-1107. |
| | AF | Weigand, D.A., M.D., et al., "REMOVAL OF STRATUM CORNEUM IN VIVO: AN IMPROVEMENT ON THE CELLOPHANE TAPE STRIPPING TECHNIQUE," The Journal of Investigative Dermatology (1973) Vol. 60, No. 2, pp. 84-87. |
| | AG | van Hoogdalem, Ewoud J., "Assay of Erythromycin in Tape Strips of Human Stratum corneum and Some Preliminary Results in Man" Skin Pharmacol (1992) Vol. 5, pp. 124-128. |
| | AH | van der Molen, R.G., et al., "Tape stripping of human stratum corneum yields cell layers that originate from various depths because of furrows in the skin," Archives of Dermatological Research (1997) Vol. 289, pp. 514-518. |
| | AI | Dreher, F., et al., "Colorimetric Method for Quantifying Human Stratum Corneum Removed by Adhesive-Tape-Stripping," Acta Derma Venereol (Stockholm), (1998) Vol. 78, pp. 186-189. |
| | AJ | Martin, E., et al., "A Critical Comparison of Methods to Quantify Stratum corneum Removed by Tape Stripping," Skin Pharmacology (1996) Vol. 9, pp. 69-77. |
| | AK | Goldschmidt, H., M.D., et al., "Desquamation of the Human Horny Layer," Archives of Dermatology (1967) Vol. 95, pp. 583-586. |
| | AL | Hojo-Tomoka, M.D., et al., "Does Cellophane Tape Stripping Remove the Horny Layer?" Archives of Dermatology (1972) Vol. 106, No. 5, pp. 767-768. |
| | AM | Klaschka, F., M.D., et al., "INDIVIDUAL TRANSPARENCY PATTERNS OF ADHESIVE-TAPE STRIP SERIES OF THE STRATUM CORNEUM," International Journal of Dermatology (1977), Vol. 16, No. 10, pp. 836-841. |
| | AN | Klaschka, F., et al., "New Measuring Device of Horny Layer Transparency," Archives of Dermatology (1975) Vo. 254, pp. 313-325. |
| | AO | Katz, H.I., M.D., et al., "Skin-Surface Touch Print for Diagnosing Fungal Infections," American Family Physician (1985) Vol. 31, No. 4, pp. 189-194. |

| | |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| | | | |
|---|--|-------------------------------------|-------------------------------|
| Substitute Form PTO-1449 (Modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. DERM1100-2 | Application No. Unassigned |
| Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b)) | | Applicant Rheins and Morhenn | |
| | | Filing Date September 28, 2001 | Group Art Unit Unassigned |

| Other Documents (include Author, Title, Date, and Place of Publication) | | |
|--|-----------|--|
| Examiner Initial | Desig. ID | Document |
| | AP | Van Der Valk, P.G.M., et al., "A functional study of the skin barrier to evaporative water loss by means of repeated cellophane-tape stripping," Clinical and Experimental Dermatology (1990) Vol. 15, No. 3, pp. 180-182. |
| | AQ | Potts, R.O., et al., "Physical Methods for Studying Stratum Corneum Lipids," Seminars in Dermatology (1992) Vol. 11, No. 2, pp. 129-138. |
| | AR | Farage, M.A., et al., "Further Development of Noninvasive Method for Assessing Human Skin Irritation," Abstract #1909, The Proctor & Gamble Company, (1998). |

| | |
|--|-----------------|
| Examiner Signature | Date Considered |
| EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

| | | | |
|--|--|--|--------------------------------------|
| Substitute Form PTO-1449 (Modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. DERM1100-2 | Application No. Unassigned |
| Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b)) | | Applicant Rheins and Morhenn | |
| | | Filing Date September 28, 2001 | Group Art Unit Unassigned |

JC 078 U.S. PRO
10/03/01

| U.S. Patent Documents | | | | | | | |
|------------------------------|-----------|---------------|------------|--------------------------|-------|----------|----------------------------|
| Examiner Initial | Desig. ID | Patent Number | Issue Date | Patentee | Class | Subclass | Filing Date If Appropriate |
| | AA | 5,753,612 | 5/19/98 | Mitrani | 514 | 2 | |
| | AB | 4,971,800 | 11/20/90 | Chess <i>et al.</i> | 424 | 449 | |
| | AC | 4,537,776 | 8/27/85 | Cooper | 514 | 424 | |
| | AD | 5,460,939 | 10/24/95 | Hansbrough <i>et al.</i> | 435 | 1.1 | |

| Foreign Patent Documents or Published Foreign Patent Applications | | | | | | | |
|--|-----------|-----------------|------------------|--------------------------|-------|----------|-------------|
| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation |
| | AE | | | | | | Yes No |

| Other Documents (include Author, Title, Date, and Place of Publication) | | |
|--|-----------|----------|
| Examiner Initial | Desig. ID | Document |
| | AF | |

| | |
|--|-----------------|
| Examiner Signature | Date Considered |
| EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |